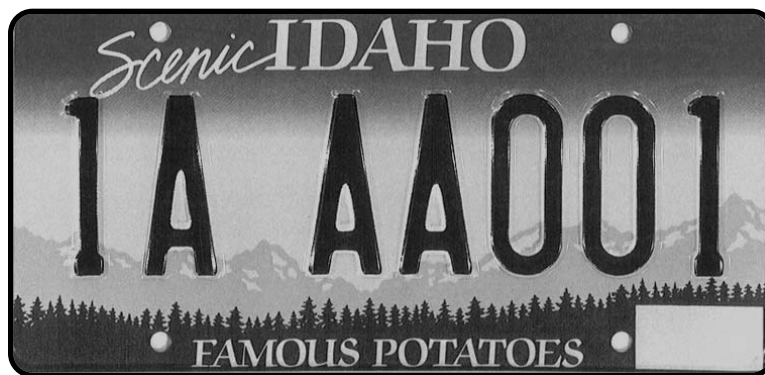


CHAPTER 10

VEHICLE TITLE AND REGISTRATION



A title is the legal ownership document for a vehicle. It displays the name and address of the owner and any lien holder (i.e. a bank or credit union) that financed the vehicle, and to whom money is currently owed.

The registration is a document showing that the proper fees have been paid. It authorizes the vehicle to be operated on Idaho roads or authorizes vessels to be operated on Idaho waters. Before registering your vehicle, you will need to have it titled in your name in Idaho, or you must submit the documents necessary to apply for an Idaho title in your name.

Who must title and register their vehicles in Idaho?

Idaho residents must title and register their vehicles before operating them on Idaho roads. You are considered to be an Idaho resident, for titling and registration purposes, if you have obtained a driver's license in Idaho. You are an Idaho resident if your domicile (home) has been in Idaho continuously for at least 90 consecutive days, and you are not a full-time student who is a resident of another state. (A domicile does not include a person's workplace, vacation or part-time residence.) You may also declare residency even if you have moved to Idaho less than 90 days ago, or if you are a full-time student who is a resident of another state.

Within what timeframe must a vehicle be titled?

Idaho residents must title a vehicle that is purchased in Idaho within 30 days of the purchase. Applying for a title after that period will result in a \$20 late-filing penalty.

Idaho residents must title a vehicle that is purchased outside of Idaho within 30 days of entering Idaho to avoid the \$20.00 late-filing penalty.

Vehicle owners moving to Idaho who have had their vehicles titled in their names in another jurisdiction must apply for Idaho titles upon becoming Idaho residents.

What is titled and registered? What is not?

Generally, any vehicle that is operated on Idaho roadways **must be titled and registered**. This includes:

- Passenger cars
- Trucks (utility, commercial, motor homes, etc.)
- Motorcycles
- Recreational trailers
- Utility and boat trailers weighing 2,000 lbs or more (unladen weight)
- Construction or wrecking cranes (registered as a commercial vehicles)
- Drilling rigs (registered as commercial vehicles)
- All-terrain and off-road vehicles (registered through the Idaho Division of Parks and Recreation) also registered for highway use if operated on highways.
- Snowmobiles (registered through the Idaho Division of Parks and Recreation).

Some items **cannot be titled or registered**. These include:

- Construction equipment other than cranes
- Wheel-mounted equipment (air compressors, wood chippers, tar buckets, tow dollies, portable toilet trailers, combines, discs, hay balers, etc.)
- Bicycles
- Golf carts
- Self-propelled wheelchairs, invalids' tricycles, wheelchair conveyance units

Some items **may or may not be titled and/or registered**, depending on circumstances. For these, you will need to contact your county auto licensing office for clarification:

- Mobile homes and manufactured homes
- Office trailers
- Concession stands
- Street sweepers
- ATVs and off-road vehicles used exclusively for agricultural purposes
- Boats
- Mopeds

Utility trailers under 2,000 lbs **are required to be registered, but are not titled.**

How Much Liability Insurance Must I Have?

All motorized vehicles operated on Idaho roadways, whether registered or not, must carry liability insurance providing the following minimum coverage:

- \$25,000 for injury or death of one person;
- \$50,000 for injury or death of two or more people; and
- \$15,000 for property damage.

When you register your vehicle, you must sign a statement certifying that the vehicle is and will be insured as required by Sections 49-117(18), and 49-1229, Idaho Code.

How Do I Get My Vehicle Titled and Registered?

If you purchased your vehicle from an Idaho dealer, that dealer is required to prepare and submit the documents necessary to obtain a title in your name. Take your copy of the dealer's title application paperwork to your local county assessor's office to register your vehicle.

If the vehicle was purchased from a private party or an out-of-state dealer, and was financed by an Idaho financial institution, that institution will usually prepare and submit the documents necessary to secure a title in your name, showing the financial institution's lien.

If the vehicle was purchased from a private party or an out-of-state dealer, and was financed by a financial institution from another state, that financial institution will usually forward the titling documents to the county assessor auto licensing office in your county of residence. You will then need to go to this office to sign a title application and apply for vehicle registration.

If the vehicle was purchased from a private party or an out-of-state dealer, and was not financed by a financial institution, you will normally need to take the previous owner's titling documents to a county assessor vehicle licensing office to have a title application completed and filed. Find the vehicle licensing office in your area by consulting your telephone directory. Look under the listings for your county assessor or under "county government" or visit the itd web site at:

www2.state.id.us/itd/dmv/index.htm

What documents must be surrendered to obtain an Idaho title?

If you are filing for a title in your name at the county assessor's office, you will need to provide the following documents:

1. **A title or manufacturer's certificate of origin for the vehicle.** This is your legal ownership document. If you purchased a new vehicle from an out-of-state dealer, you should have a manufacturer's certificate of origin (MCO) for the vehicle. If you purchased a used vehicle, you should have the title that was issued in the seller's name. Either document should be properly assigned to you by the previous owner shown on that document. If the previous owner had a lien recorded on the title, the lien must be released either on the title or on a separate form.

Note: If the previous owner was an Idaho resident, he must have a title *issued* in his name before you can obtain an Idaho title. If he appears as the purchaser on a title, MCO, or any other title document, you may not apply for a title until he has first titled the vehicle in his name.

2. **A Vehicle Identification Number (VIN) affidavit of inspection.** If the vehicle is new or was titled by another state or jurisdiction, a VIN inspection must be provided. This is to ensure that your new title is issued with the correct description, and most importantly, the true VIN. This inspection may be completed by an officer of the law or a county deputy assessor. For boats, a hull identification number (HIN) affidavit of inspection would be required under the same circumstances.
3. **An odometer disclosure statement** (does not apply to boats). The seller must provide you with this if the vehicle is motorized, less than 10 years old, and under 16,000 lbs. gross vehicle weight. An odometer disclosure statement is a declaration of the odometer reading, along with a designation as to whether the reading reflects actual mileage, not actual mileage, or if the odometer has exceeded its mechanical limits. The disclosure must be made on the title as part of the seller's release.
4. **A Bill of Sale.** The seller must provide you with a bill of sale for the vehicle, in which he declares the amount of money for which the vehicle was sold to you. Sometimes the title has an area for this information (i.e. most blue Idaho titles). Otherwise a separate bill of sale form must be submitted, which is signed by the seller, shows you as the buyer, and lists the vehicle year, make, identification number, selling price, date, and seller's address.

5. **Documents authorizing a signature.** Whenever someone has signed for someone else, the documents which authorize that person to do so must be submitted. For example, if the seller appointed someone else to sell the vehicle for him by power of attorney, and that person signed the title on behalf of the seller, the power of attorney must be submitted. Either the original or a copy verified to be a true copy of the original must accompany the title.
6. **An application for title.** This document is available at any county assessor auto licensing office. It will be prepared for you by a deputy assessor at the time you submit your other titling documents.
7. **Sales tax, title fee, and other fees.** 5% sales tax is due on the purchase price of the vehicle, unless you qualify for a special exemption. An \$8.00 title fee must also be paid at the time the title application is prepared. If the county completed a VIN inspection for you, a \$3.00 fee will be due. Additionally, if you were an Idaho resident when you purchased the vehicle, and it has been more than 30 days since you made the purchase, a \$20.00 late filing penalty is also due.

What is the difference between leasing a vehicle and purchasing a vehicle?

If you purchase a vehicle, and title it in your name, you become the owner of the vehicle. If you finance the purchase, you remain the owner, and the lienholder becomes the legal owner. If you lease a vehicle, you should be shown on the title as the lessee, but you are not recognized as being the owner. The lessor is the owner.

At the end of a lease, you may have the option of purchasing the vehicle. If you exercise the option, and retitle the vehicle in your name, removing the name of the lessor, you will become the owner of the vehicle.

What are the titling requirements for leased vehicles?

Titling requirements for leased vehicles are the same as for other vehicles. If you are leasing a vehicle from an Idaho leasing company, that company should address these requirements.

If you have been leasing a vehicle in another state, and have moved to Idaho, you will need to make arrangements with the lessor to send the title to the county assessor auto licensing office you wish to visit. The lessor must have an Idaho seller's permit number so that he can collect the Idaho sales or use tax due on your lease payments.

What Should I Do When I Sell a Vehicle?

- 1. Give the Buyer the vehicle's title, issued in your name.** Unless you have a dealer's license issued by the Idaho Transportation Department, you must title the vehicle in your name before selling it. Enter your signature on the "seller's signature" line, and enter the date of the sale in the "date sold" field.

If the vehicle is less than ten years old, the odometer reading should also be filled in (does not pertain to boats). Enter the number shown on the odometer device. Check the "in excess of mechanical limits" box if the odometer device has "turned over" or "flipped" and some multiple of 100,000 should be added to the number shown on your device to arrive at the correct mileage. Check the "not actual" box if the mileage shown on the odometer device does not reflect the actual number of miles the vehicle has been operated (i.e. the device is no longer working), or it was not working during an earlier period of time.

If there is a place to enter the "selling price" on the front of the title, do so. If not, create a bill of sale (see below)..

- 2. Give the Buyer a Bill of sale.** If you create a bill of sale, be sure to enter a statement of sale ("I hereby sell. . ."), a full description of the vehicle (year, make, model number, and vehicle identification number), the buyer's name, the selling price, your signature, and the date.

You may wish to keep a copy of the bill of sale (signed by the buyer) for your own records. List the time and date of delivery as proof of when you gave up possession and control of the vehicle.

- 3. File a Release of Liability Statement.** Section 49-526, Idaho Code, requires motor vehicle owners to file a release-of-liability statement with a \$2.00 filing fee upon sale or transfer of a vehicle within five days of delivery. This must be done whether you are selling to another individual or trading the vehicle in to a vehicle dealership.

Filing a release-of-liability statement relieves you from liability for injury or damage to person or property that may occur from the negligent operation of the vehicle after it has been delivered. It will also relieve you from responsibility for motor-vehicle infractions that occur after the vehicle has been delivered, including parking tickets and abandoned vehicle infractions.

If a vehicle has been abandoned, and has not been claimed from the tow company yard within seven days of the tow, the owner of record is presumed to be guilty of an infraction if he has not properly filed a release of liability. The owner of record may receive a citation, which would require payment of \$193.00 in fines and court costs. If the fee isn't paid, the owner's driver's license is suspended. If the owner of record has properly filed a release of liability, the buyer or transferee on the release of liability is presumed to be guilty of the infraction.

Release-of-liability forms are available as a tear-strip on the bottom of most titles and on the back of vehicle registrations. It is also available from the ITD web page at www.state.id.us/itd/dmv/index.htm, as well as at all county assessor motor vehicle offices. The form and fee can be mailed to the address indicated, or filed with any county assessor motor vehicle office.

- 4. Remove your License Plates from the Vehicle.** The license plates are your property, they do not go with the vehicle. You may transfer the plates to another vehicle that you buy or already own.

Refueling Assistance

Any retail outlet offering only self-dispensed motor fuel will provide refueling assistance to disabled people upon request, if each of the following three conditions are met:

- The vehicle displays handicapped or disabled veteran license plates or a handicapped placard, and
- There is no able-bodied person in the vehicle, and
- There is more than one attendant on duty at the retail outlet.

The following sign, visible to any driver seeking refueling services, is posted at refueling stations:

